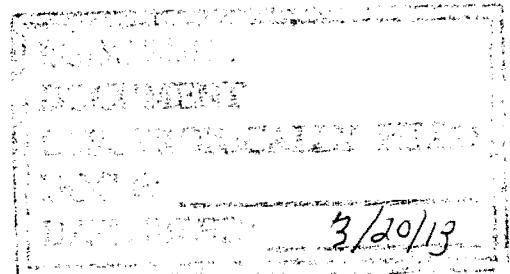


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

This Document Relates To:

City of Fresno v. Chevron U.S.A. Inc., et al.,
No. 04 Civ. 4973 (SAS)



Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88

**STIPULATION AND
[PROPOSED] ORDER OF
DISMISSAL WITH
PREJUDICE UNDER
FED.R.CIV.P. 41(a)(2)**

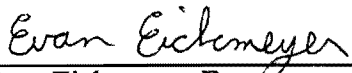
SHIRA A. SCHEINDLIN, U.S.D.J.:

STIPULATION

Plaintiff City of Fresno and Defendant ConocoPhillips Company, individually and as successor-in-interest to Tosco Corporation and Phillips Petroleum Company, and including but not limited to Phillips 66 (collectively, "ConocoPhillips"), have resolved the matters between them and agreed to the entry of dismissal with prejudice of ConocoPhillips pursuant to Fed. R. Civ. P. 41(a)(2), with each party to bear its own costs and attorneys' fees.


SO STIPULATED:

Dated: March 13, 2013



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Dated: March 13, 2013



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ConocoPhillips Company, individually and as
successor-in-interest to Tosco Corporation
and Phillips Petroleum Company, and
including but not limited to Phillips 66.

ORDER

1. This Court has jurisdiction over the parties to this Stipulation and over the subject matter of this action. The parties to this Stipulation have advised the Court of their agreement to settle this matter pursuant to a Settlement Agreement and Release and this Stipulation. On February 19, 2013, the Court entered the Order Granting Defendant ConocoPhillips Company's Motion for Good Faith Settlement Determination.

2. ConocoPhillips Company, individually and as successor-in-interest to Tosco Corporation and Phillips Petroleum Company, and including but not limited to Phillips 66 is dismissed with prejudice from this action, pursuant to Fed. R. Civ. P. 41(a)(2).

3. Each party to this Stipulation shall bear its own costs and attorneys' fees.

SO ORDERED:


Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York

March 18, 2013

PROOF OF SERVICE VIA LEXISNEXIS FILE AND SERVE

I, the undersigned, declare that I am, and was at the time of service of the paper(s) herein referred to, over the age of 18 years and not a party to this action. My business address is 1050 Fulton Avenue, Suite 100, Sacramento, CA 95825-4225.

On the date below, I served the following document on all counsel in *City of Fresno v. Chevron U.S.A., Inc., et al.*, Case No. 04 Civ 4973 (SAS), electronically through LexisNexis File & Serve:

**STIPULATION AND [PROPOSED] ORDER OF DISMISSAL WITH
PREJUDICE UNDER FED. R. CIV. P. 41(a)(2)**

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed on March 14, 2013, at Sacramento, California.



Evan Eickmeyer